

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

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HAWK TECHNOLOGY SYSTEMS, LLC,	)
	)
Plaintiff,	)
	)
v.	) Civil Action No. 3:20cv276-MPM-RP
	)
KIRKLAND'S, INC. d/b/a KIRKLAND'S	) Judge Michael P. Mills
STORES, INC.,	)
	) Magistrate Judge Roy Percy
Defendant.	)
	)
	)

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**RULE 12(b)(6) MOTION TO DISMISS**

Defendant Kirkland's, Inc. d/b/a Kirkland's Stores, Inc. and Movant-in-Intervention Salient Systems Corporation, by and through undersigned counsel and pursuant to Federal Rule of Civil Procedure 12(b)(6) and Local Rule 7, request entry of an order dismissing the Complaint (Doc. No. 1) filed by Plaintiff Hawk Technology Systems, LLC, for failure to state a claim upon which relief can be granted. In support of this motion, Defendant files its Memorandum in Support of Defendant's Motion to Dismiss herewith.

Dated: November 20, 2020

Respectfully Submitted,

/s/Joseph T. Getz

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Stores, Inc. and Salient Systems Corporation*

**CERTIFICATE OF SERVICE**

I, Joseph T. Getz, do hereby certify that I have electronically filed the foregoing with the Clerk of Court using the ECF system which sent notification of such filing to the following:

Mr. Frank J. Dantone  
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Attorney for Hawk Technology Systems, LLC

on the 20<sup>th</sup> day of November, 2020.

/s/Joseph T. Getz  
Joseph T. Getz